

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	File No. EB-06-SE-325
Imperial Sugar Company)	NAL/Acct. No. 200732100017
Sugar Land, Texas)	FRN # 0015230519

FORFEITURE ORDER

Adopted: September 25, 2007

Released: September 27, 2007

By the Chief, Spectrum Enforcement Division, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of five thousand two hundred dollars (\$5,200) against Imperial Sugar Company (“Imperial”) for willful and repeated violation of Section 301 of the Communications Act of 1934, as amended (“Act”),¹ and Sections 1.903(a) and 1.949(a) of the Commission’s Rules (“Rules”).² The noted violations involve Imperial’s operation of Private Land Mobile Radio Service (“PLMRS”) station WPPD863 without Commission authority and for failure to file a timely renewal application for the station.

2. On March 15, 2007, the Spectrum Enforcement Division issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) in the amount of \$5,200 to Imperial.³ Imperial has not filed a response to the NAL. Based on the information before us, we affirm this forfeiture.

3. Accordingly, **IT IS ORDERED THAT**, pursuant to Section 503(b) of the Act⁴ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁵ Imperial Sugar Company **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of five thousand two hundred dollars (\$5,200) for willfully and repeatedly violating Section 301 of the Act and Sections 1.903(a) and 1.949(a) of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁶ Payment of the forfeiture must be made by credit card through the Commission’s Debt and Credit

¹ 47 U.S.C. § 301.

² 47 C.F.R. §§ 1.903(a) and 1.949(a).

³ *Imperial Sugar Company*, Notice of Apparent Liability for Forfeiture, 22 FCC Rcd 4987 (Enf. Bur., Spectrum Enf. Div. 2007).

⁴ 47 U.S.C. § 503(b).

⁵ 47 C.F.R. §§ 0.111, 0.311 and 1.80(f)(4).

⁶ 47 U.S.C. § 504(a).

Management Center at (202) 418-1995, or by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to Mellon Bank/LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. A request for full payment under an installment plan should be sent to: Associate Managing Director – Financial Operations, 445 12th Street, SW, Room 1-A625, Washington, D.C. 20554.⁷

5. **IT IS FURTHER ORDERED** that a copy of this *Forfeiture Order* shall be sent by first class mail and certified mail return receipt requested to William F. Schwer, Senior Vice-President and General Counsel, Imperial Sugar Company, P.O. Box 9, 8016 Highway 90 A, Sugar Land, Texas 77487.

FEDERAL COMMUNICATIONS COMMISSION

Kathryn S. Berthot
Chief, Spectrum Enforcement Division
Enforcement Bureau

⁷ See 47 C.F.R. § 1.1914.